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HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition (S) No.4099 of 2007

Petitioner : Hemu Lal Sahu, S/o. Shri Bisun Lal Sahu, aged about 49 years, Assistant Teacher, Govt. Middle School - Supela - Bhilai, Distt. - Durg (C.G.)

Respondents **Versus**

1. State of Chhattisgarh, Through - The Secretary, Education Department, D.K.S. Bhawan, Raipur (C.G.)
2. The Director, Public Instruction Department, Chhattisgarh Govt. Raipur
3. District Education Officer Durg, Distt. - Durg (C.G.)

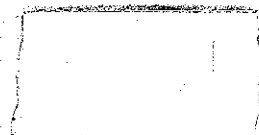
(Writ Petition under Article 226 of the Constitution of India)

Single Bench: Hon'ble Justice Satish K. Agnihotri

Present : Shri Vipin Tiwari, counsel for the petitioner.
Miss Deepali Pandey, Panel Lawyer for the State/ respondents.

ORDER
(Passed on 16th July, 2007)

The petitioner has filed this petition seeking writ of mandamus or direction to the respondents to promote the petitioner to the post of Upper Division Teacher from the post of Assistant Teacher on the ground that the petitioner has obtained B.A. Degree in English and other similarly situated Teachers have been considered and promoted to the post of Upper Division Teacher. The petitioner further submits that he is better qualified as he has obtained M.A. Degree in English. The petitioner has not indicated in the pleadings or submissions about any scheme as to how promotions are made from the post of Assistant Teachers to the post of Upper Division Teacher.



2. This petition lacks material details and vague. Even, otherwise, in absence of averment with regard to the discrimination or arbitrariness no interference is called for. It is well settled principle of law that this Court cannot direct the authorities to promote an employee to a particular post, on having the required qualification for the promotional post. The petitioner has not made out a case for indulgence by this Court in its discretionary jurisdiction under Article 226 of the Constitution of India.

3. In view of the foregoing, the petition is dismissed, summarily.

Sd/-
Satish K. Agnihotri
Judge

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